

Mandatory Curriculum Update

New Information

Effective immediately, traffic violator schools (TVS) and driving schools **must** update their curriculums (classroom, online, and home study) to reflect current chemical testing requirements for violators of driving under the influence (DUI).

California Vehicle Code (CVC) §23612, “implied consent for chemical testing,” requires a blood or breath chemical test when a person is lawfully arrested for DUI involving drugs or a combination of drugs and alcohol. The urine chemical test is **only** permitted under the following conditions:

- Both blood and breath tests are unavailable.
- The individual is a hemophiliac.
- The individual is taking anticoagulant medication.

Procedures

Immediately, update all TVS and driving school curriculums (classroom, online, and home study) to include the revised chemical test requirements. Submit a confirmation letter and an excerpt from the updated section (screen print from online curriculum) no later than June 1, 2013, to:

Department of Motor Vehicles
Program Compliance Section
Attn: Rodney Aoki (driving schools) or Alan Sutocky (TVS)
PO Box 932342, MS L224
Sacramento, CA 94232-3420

Background

Prior to January 1, 2013, persons lawfully arrested for a DUI had the option of a blood, breath, or urine chemical test. Recent legislation no longer permits the urine chemical test except under specific circumstances.

Reference

California Vehicle Code §23612

Distribution

Notification that this memo is available online at www.dmv.ca.gov/pubs/olin/olin.htm was made via California DMV’s Automated E-mail Alert System in April 2013 to the following:

- All Traffic Violator School Owners, Operators, and Instructors
- All Driving School Owners, Operators, and Instructors

Contact

Questions regarding this memo may be directed to the Compliance Services and Support Unit, at (916) 229-3154.

A handwritten signature in black ink, appearing to read "Mary Garcia". The signature is fluid and cursive, with the first name "Mary" and last name "Garcia" clearly distinguishable.

MARY GARCIA, Chief
Occupational Licensing